

**EXPRESS MAIL NO.: EV337286605US**  
**Deposited On: November 25, 2003**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Application No. :** Not Yet Assigned **Confirmation No.:**  
**Applicant :** Lawrence A. Denny  
**Filed :** Herewith  
**TC/A.U. :** Unknown  
**Examiner :** Not Yet Assigned  
**Title :** PRESCRIPTION VERIFICATION SYSTEM  
**Docket No. :** 1950.024  
**Customer No. :** 30589

**Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313-1450**

**INFORMATION DISCLOSURE STATEMENT**

**List of Sections Forming Part of This  
Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:

1.  Preliminary Statements
2.  Form PTO-1449 (Modified)
3.  Statement as to Information Not Found in Patents or Publications
4.  Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
5.  Cumulative Patents or Publications

6.  Copies of Listed Information Items Accompanying this Statement
7.  Concise Explanation of Non-English Language Listed Information Items
  - 7A.  EPO Search Report
  - 7B.  English Language Version
8.  Translation(s) of Non-English Language Documents
9.  Concise Explanation of English Language Listed Information Items (Optional)
10.  Identification of Person(s) Making this Information Disclosure Statement

## **Section 1.        Preliminary Statements**

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

## **Section 2.        Form PTO-1449 (Modified)**

A Completed Form PTO-1449 (Modified) is attached hereto.

### **Section 3. Statement as to Information Not Found in Patents or Publications (Information Not Listed in Form PTO-1449(Modified))**

The prescription drug industry consists of several different organizations and professionals. These groups included the health care providers, pharmacies, insurance companies, federal agencies, state agencies, local agencies, and pharmaceutical firms. Each of these groups function virtually autonomous from the others, and each has its own specific interests. This autonomy, coupled with a lack of centralized information, frequently leads to errors in the ordering and filling of drug prescriptions, improper use of prescribed drugs, fraud within the system, and increased costs to each group within the industry.

There are approximately 630,000 prescribers of pharmaceuticals and 76,000 pharmacies in the United States which filled 2.6 billion prescriptions last year. It has been estimated that up to \$25 billion per year is attributable to drug fraud and abuse. Additionally, the U.S. General Accounting Office suggests that inappropriate use of prescription drugs exceeds \$20 billion per year. Although certain ones of the groups previously mentioned, namely the insurance companies, maintain information relating to their clients, there exists no nationally recognized or easily accessible system for maintaining information on prescription drugs to minimize fraud, abuse, and errors associated with the prescription drug industry.

Furthermore, prescriptions handwritten by physicians are frequently misinterpreted, or completely illegible to the filling pharmacist. Even where such handwritten prescriptions are partially legible, the patient is at great risk of the dosage and special instructions being incorrectly labeled on the final prescription.

Problems also exist with prescribed medications, since patients frequently are unaware of the specific type of medications they are currently taking or simply forget. This presents a serious problem since drug interactions may be dangerous, if not fatal. However, there does not exist a centralized system for a health care provider to determine current prescription medications that a specific patient may be using.

Thus, a need exists for a prescription verification system that is readily accessible to the groups previously mentioned, and more specifically, but not by way of limitation, to the health care provider which prescribes the medications and the pharmacies which fill the prescriptions. It is to a

prescription verification system capable of minimizing the fraud abuse and errors associated with prescription drugs that the present invention is directed.

**Section 4. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted**

This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. 10/158,259, filed on May 29, 2002.

*(complete the following, if applicable)*

This application also relies, under 35 U.S.C. 120, on the earlier filing date of prior application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_ (date).

The following references were submitted to, and/or cited by, the Office in the prior application(s) and therefore, are not required to be provided in this application:

**Section 5. Cumulative Patents or Publications**

STATEMENT

\_\_\_\_\_ is cumulative of the following patents or publications listed on Form PTO-1449:

In accordance with 37 C.F.R. § 1.98(c), a copy of only \_\_\_\_\_ is being submitted with this Information Disclosure Statement.

**Section 6. Copies of Listed Information Items Accompanying this Statement**

Legible copies of all items listed in Form PTO-1449 (Modified) accompany this information disclosure statement.

Exception(s) to above:

- Items in prior application from which an earlier filing date is claimed for this application, as identified in Section 4.
- Cumulative patents or publications identified in Section 5.

**Section 7. Concise Explanation of Non-English Language Listed Information Items**

**Section 7A. Concise Explanation of Non-English Language Listed Information Items - EPO Search Report**

The relevance with respect to the following citations listed on Form PTO-1449:

is submitted on the basis of accompanying:

*(check the appropriate item)*

- EPO search report that is in the English language,
- EPO search report that is not in the English language and that is accompanied also by an English language version of the EPO search report,

that issued on the corresponding European patent application.

**Section 7B. Concise Explanation of Non-English Language Listed Information Items - English Language Version of EPO Search Report**

**Section 8. Translation(s) of Non-English Language Documents**

- Submitted herewith is an English translation of the following foreign language patents, publications or information or of those portions

of those patents, publications or information considered to be material:

*(complete the following, if applicable)*

- [ ] No English language translations of the foreign language parents, publications or information or parts thereof are readily available, except for those listed above.
- [ ] The following foreign language documents submitted are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith.

**Section 9. Concise Explanation of English Language Listed Information Items (OPTIONAL)**

**Section 10. Identification of Person(s) Making this INFORMATION DISCLOSURE STATEMENT**

The person making this statement is the attorney who signs below on the basis of the information:

- [ ] supplied by the inventor(s)
- [ ] supplied by an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c)).

[X] in the attorney's file

Respectfully submitted,

*Marc Brockhaus*

Marc A. Brockhaus, Reg. No. 40,923  
DUNLAP, CODDING & ROGERS, P.C.  
P.O. Box 16370  
Oklahoma City, Oklahoma 73113  
(405) 607-8600 - telephone  
(405) 607-8686 - telefax

Attorney for Applicants

Express Mail: EV337286605US  
 Date Deposited: November 25, 2003

Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

C mplete if Known	
Application Number	Not Yet Assigned
Filing Date	Herewith
First Named Inventor	Lawrence A. Denny
Group Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	1950.024

### U. S. PATENT DOCUMENTS

EXAM INIT.	Cite No. 1	U.S. PATENT NUMBER Number	Kind Code <sup>2</sup> (If known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	4,193,114		Benini	03/11/1980	
	AB	4,695,954		Rose et al.	09/22/1987	
	AC	4,766,542		Pilarczyk	08/23/1988	
	AD	4,847,764		Halvorson	07/11/1989	
	AE	4,916,611		Doyle, Jr. , et al.	04/10/1990	
	AF	5,065,315		Garcia	11/12/1991	
	AG	5,208,762		Charhut et al.	05/04/1993	
	AH	5,628,530		Thornton	05/13/1997	
	AI	5,737,539		Edelson et al.	04/07/1998	
	AJ	5,758,095		Albaum et al.	05/26/1998	
	AK	5,832,449		Cunningham	11/03/1998	
	AL	5,845,255		Mayaud	12/01/1998	
	AM	6,014,631		Teagarden, et al.	01/11/2000	

### FOREIGN PATENT DOCUMENTS

EXAM INIT.	Cite No. 1	Foreign Patent Document Office 3 Number 4	Kind Code <sup>5</sup> (If known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>

U.S. and Foreign: <sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard St.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard St. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

EXAM INIT.		<h2 style="text-align: center;">NON PATENT DOCUMENTS</h2> <p>Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published</p>		
	1	"Automated Identification of Relevant Patent Information in a Physician's Workstation"; by Henri J. Suermont, Ph.D., Paul C. Tang, M.D., Philip C. Strong, M.D., Charles Y. Young, Ph.D., and Jurgen Annevelink, Ph.D.; Hewlett Packard Laboratories, Palo Alto, California, Stanford University School of Medicine, Stanford, CA; 0195-4210/92/\$5.00 © AMIA, Inc.		
	2	"Patient-Centered Computing: Can It Curb Malpractice Risk?", by Edward E. Bartlett, Ph.D., Department of Community and Family Medicine, Georgetown University School of Medicine; 0195/4210/92/\$5.00 © AMIA, Inc.		
	3	'AskRx'; Drug Information Software for Microsoft Windows'; Camdat Corporation, 359 Northgate Drive, Warrendale, PA 15086		
	4	"Pharmacy Systems Review"; "Pharmacy Automation: Bitter Pills? Or Spoonfuls of Sugar?; healthcare informatics, June 1993		
<p><b>Non Patent Documents:</b> <sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">Examiner Signature:</td> <td style="width: 50%;">Date Considered:</td> </tr> </table> <p>EXAMINER: Initial if citation considered, whether or not citation is in conformance and not considered. Include copy of this form with next communication to applicant. **Place of Publication refers to name of publication in which the information was published.</p>			Examiner Signature:	Date Considered:
Examiner Signature:	Date Considered:			